

Licensing and Safety Committee

Wednesday, 7 June 2006

Present: Councillor Mrs Iris Smith (Chair), Councillor Edward Smith (Vice-Chair) and Councillors Thomas Bedford, Magda Cullens, David Dickinson, Doreen Dickinson, Anthony Gee, Daniel Gee, Keith Iddon, Hasina Khan, Margaret Lees, Shaun Smith, Ralph Snape and John Walker

06.LS.22 COUNCILLOR R SNAPE

The Chairman expressed her thanks to Councillor R Snape, the previous Chairman of the Committee, for the work he had done on the Committee.

06.LS.23 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors M Lowe, McGowan and Mrs Walsh.

06.LS.24 DECLARATIONS OF ANY INTERESTS

No declarations of interest were declared.

06.LS.25 MINUTES

The minutes of the meeting of the Licensing and Safety Committee held on 8 March and 20 April 2006 were confirmed as a correct record for signature by the Chairman.

06.LS.26 LICENSING LIAISON PANEL

The Committee received the minutes of the meeting of the Licensing Liaison Panel held on 27 March 2005.

06.LS.27 LICENSING AND REGISTRATION - LICENSES ISSUED FROM 15 FEBRUARY 2006 TO 12 MAY 2006

The Committee received a report of the Chief Executive on the various licences and permits issued and the registration affected by the Licensing Section since the last meeting.

RESOLVED - That the report be noted.

06.LS.28 STRETCHED LIMOUSINES - EXCEPTION TO LICENCE CONDITION REGARDING COLOUR

The Chief Executive submitted a report bringing to the attention of members of the Committee a problem that could arise regarding the licensing of stretched limousines.

This Committee on 11 January 2006 (minute 06.LS.05 refers) agreed that all hackney carriages must be white and all private hire vehicles must be any colour except white. The reason for this condition was to emphasise the difference between hackney carriage and private hire vehicles for the benefit of the users of these vehicles.

A problem had arisen requiring licensing a stretched limousine as the licence condition did not allow white private hire vehicles. Many of these limousines were supplied as white vehicles and it would be unreasonable to expect the owners to change the colour.

RESOLVED - That the licence condition in respect of private hire vehicles be amended from
4(g) the colour of the vehicle shall not be white to
4(g) the colour of the vehicle shall not be white unless it is a stretched limousine or other similar vehicle that is acceptable for licensing as a private hire vehicle.

06.LS.29 VOCATIONAL TRAINING FOR HACKNEY/PRIVATE HIRE DRIVERS

The Chief Executive submitted a report on the discussions that had taken place regarding the possible introduction of vocational training for drivers of hackney carriages and private hire vehicles.

The report indicated that the Disabled Persons Transport Advisory Committee had in its good practice guide 2003 emphasised the need for driver training for taxi drivers in dealing with disabled people.

Other Councils had already addressed this matter and had adopted different approaches. A meeting attended by representatives of the Licensing Sections of Chorley, Preston and South Ribble Councils discussed with representatives from Runshaw College outline proposals for a vocational training course for new applicants for hackney carriage and private hire drivers licences.

RESOLVED - That a report be submitted to a future meeting of this Committee giving details of other providers of driver training, showing comparisons with other local authorities and costs to the taxi trade.

06.LS.30 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED - That the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 4 of Part 1 of Schedule 12A to the Local Government Act 1972.

06.LS.31 APPLICATION FOR LICENSE TO DRIVE HACKNEY CARRIAGE/PRIVATE HIRE VEHICLES WITHIN THE BOROUGH OF CHORLEY MR A S

The Committee received a report of the Chief Executive on an application from Mr A S for a licence to drive hackney carriage/private hire vehicles. Information from the Criminal Records Bureau had revealed information that would need to be assessed by the Committee before determining the application.

The Committee was due to hear from Mr A S at its meeting on 5 April 2006 (Minute 06.LS.18 refers) but he was unable to attend and he was given another opportunity to put forward representations.

The applicant had been invited to this meeting, but did not attend. In his absence the Committee considered his application.

RESOLVED - 1) That the Licensing and Safety Committee after careful consideration of the representation resolved that the application be refused. The Committee was of the view that the applicant was not a fit and proper person as he had committed a serious offence and that this was not responsible behaviour.

2) That the Committee also considered the human rights implications and the proportionate principal and was of the view that the protection of the public was of paramount importance.

06.LS.32 PRIVATE HIRE DRIVER - SUSPENSION OF LICENCE

The Committee received a report of the Chief Executive on the suspension of a private hire driver, Mr E K following an application submitted by him to renew his private hire drivers licence.

At the time of renewal of his private hire driver's licence on 9 May 2006 the DVLA licence produced showed that there were three effective penalty points in respect of a speeding offence.

Mr E K had applied to renew his current private hire drivers licence and had produced a DVLA licence showing 9 penalty points.

On 8 May 2005 a reply was received from the DVLA confirming the endorsements.

The details of the endorsements indicated that on 21 October 2003 when Mr E K was originally granted his private hire driver's licence he was actually disqualified from driving.

The report indicated that Mr E K's driving record showed that his DVLA licence had been returned to the DVLA on nine occasions for endorsement and he had reported his DVLA licence lost or stolen on six separate occasions.

RESOLVED - 1) That the Licensing and Safety Committee took a very serious view of his failure to declare convictions, however, after careful consideration of his representations agreed to renew his private hire drivers licence for six months.

2) That a severe written warning be given to him reminding him of his responsibility to comply with the licence conditions and that he be advised that if there are further incidents his private hire drivers licence may be revoked and that this be noted on his record.

Chair